

**CITY OF CHULA VISTA  
MINUTES  
MOBILEHOME RENT REVIEW COMMISSION**

**Thursday, July 21, 2011**  
6:00 P.M. CLOSED SESSION  
6:30 P.M. TIME CERTAIN PUBLIC START

**276 FOURTH AVENUE  
CONFERENCE ROOM C101, CITY HALL**

**CALL TO ORDER/ROLL CALL – 6:02 P.M.**

**PRESENT:** Rudy Gonzalez, Pat LaPierre, Sam Longanecker, Cesar Padilla, Ramon Riesgo, Mitch Thompson

**ABSENT:** Steve Epstein (excused)

**STAFF:** Stacey Kurz, Senior Project Coordinator  
Simon Silva, Deputy City Attorney

Chair Padilla announced at 6:03 p.m. that the meeting would now be closed to the public and would be reopened to resume with the agenda at 6:30 p.m. The closed session item was as follows:

**1. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a)**

❖ Brentwood MHP Investors, LLP v. City of Chula Vista, San Diego Superior Court Case No. 37-2010-00079506-CU-WM-SC

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Chair Padilla called the public session to order at 6:40 p.m.

**2. APPROVAL OF MINUTES**

May 31, 2011

*Member Riesgo made a motion to approve the minutes. Member Longanecker seconded the motion. All members (4-0) agreed to the approval of the minutes.*

**3. ELECTION OF CHAIR AND VICE CHAIR FOR FISCAL YEAR 2011/2012**

Staff Kurz indicated that legal staff has advised staff to keep Chair Padilla beyond his term end (June 30, 2011) until litigation with Brentwood has been resolved.

*Member Gonzalez made a motion to table the item. No one seconded the motion.*

*Member Gonzalez made a motion to nominate Member Padilla to remain as Chair. Member Longanecker seconded the motion. All members (4-0) agreed to the election of Chair Padilla.*

*Member Longanecker made a motion to nominate Member Gonzalez to remain as Vice Chair. Member Riesgo seconded the motion. All members (4-0) agreed to the election of Vice Chair Gonzalez.*

**4. AMENDMENTS TO THE RENT REVIEW ORDINANCE**

Staff Kurz provided a synopsis of the July 12<sup>th</sup> City Council meeting where they adopted the staff recommended changes to Chula Vista Municipal Code 9.50 – Mobilehome Park Space Rent Review (“CVMC 9.50”). The major changes included:

- Deleting the right to petition on change of ownership, but stressed that if a new owner had an eligible lease under CVMC 9.50 they would fall under the annual permissive increase rules on their first anniversary and subsequent years.

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- Establishment of an Administrative Fee for all residents that fall under the purview of CVMC 9.50. The fee would be adopted at a later date and adopted on an annual basis, but collection is slated to begin July 1, 2012 or slightly before.

#### 5. STAFF COMMENTS

Staff Kurz indicated that City Council referred the ordinance changes proposed to Chula Vista Municipal Code 9.40 back to legal staff to ensure conflicts with state law did not exist.

#### 6. MEMBER'S COMMENTS

None.

#### 7. PUBLIC COMMUNICATIONS

*Lisa Demasse*, resident Palace Garden Mobilehome Park – Ms. Demasse asked what would happen with the administrative fee if there was a surplus after a particular year. Staff Kurz responded indicating that the fee would be assessed on an annual basis and therefore if a surplus occurred after a year it would be applied to the next year's assessment.

Member Gonzalez asked if staff overhead was going to be included in the calculation of the fee and Staff Kurz replied yes.

*Steve Molski*, resident of Terry's and COMOCAL representative – Mr. Molski expressed his disappointment with the passage of the fee considering the number of residents who signed the petitions against. He further indicated that the collection of the fee should occur once per year.

*Penny Vaughn*, President of Chula Vista Mobilehome Residents Association and GSMOL representative – Ms. Vaughn asked why the commission changed their mind after the April 14<sup>th</sup> meeting where it sounded like they supported a cap rent system, and recommended the staff changes on May 31st.

8. **ADJOURNMENT** – Chair Padilla adjourned the meeting at 7:37 p.m. to the next regularly scheduled meeting of October 20, 2011, if needed.



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Recorder, Stacey Kurz